



U.S. Army Corps of Engineers
Honolulu District

PUBLIC NOTICE

Date: April 15, 1997

Respond by: May 23, 1997

Reply to: District Engineer (CEPOD-ET-PP-J)
U.S. Army Corps of Engineers
Building 230
Fort Shafter, Hawaii 96858-5440

NOTICE OF

1. **Compliance with E.O. 11988, Action in Floodplain**
2. **Compliance with Section 404 of the Clean Water Act**
3. **Intent to discharge dredged and fill material into waters of the U.S.**
4. **Availability of DRAFT Environmental Assessment and DRAFT Findings of No Significant Impact**

**FOR KAWAINUI MARSH ENVIRONMENTAL RESTORATION
PROJECT, KAILUA, ISLAND OF OAHU, HAWAII
Corps of Engineers CWIS No. 96049**

1. PROJECT PROPONENTS: U.S. Army Corps of Engineers, Honolulu Engineer District, Building 230, Fort Shafter, Hawaii 96858-5440 and the State of Hawaii Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, Hawaii 96813.

2. APPLICABLE STATUTORY AUTHORITIES: Section 404 of the Clean Water Act (33 U.S.C. 1344).

3. LOCATION OF PROPOSED ACTIVITY: Kawainui Marsh, Kailua, Island of Oahu, State of Hawaii.

4. DESCRIPTION OF PROPOSED ACTIVITY:

The U.S. Army Corps of Engineers, Honolulu Engineer District, and the State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) propose to modify the existing Corps of Engineers flood control project (see figure 1) at Kawainui Marsh to restore habitat for four endangered waterbirds endemic to the Hawaiian Islands.

The recommended plan would include creation of 70.7 acres of mudflats and shallow ponds, restoration of riparian wetland habitat along 2,800 lineal feet of stream, 17 acres of vegetation control, predator trapping, and installation of 16,200 lineal feet of fencing. Figure 2 shows the plan of the proposed improvements.



5. IMPACTS OF THE PROPOSED ACTION ON THE ENVIRONMENT:

Construction activities will increase traffic, dust, noise, and vehicle exhaust emission levels in the project area; however, these effects will be largely confined to the vicinity of the project. As part of the Environmental Protection Plan required by contract specifications, the contractor will develop a traffic control plan and describe methods and procedures to be implemented which will protect environmental resources and comply with applicable laws and regulations. The contractor will be required to conform with State air quality standards and noise control regulations during construction.

The discharge of fill material will involve construction of berms and other earthmoving and grading. Evaluation of the proposed discharge of existing on site material using Clean Water Act Section 404(b) (1) guidelines has determined that the proposed action would not likely violate any applicable State water quality criteria, with the exception of turbidity. Elevation in turbidity levels may result primarily from resuspension of existing on-site sediments during excavation and is not avoidable. The marsh is connected to Kailua Bay through the Oneawa Canal. The canal is used for recreational boating and fishing. Although turbidity levels downstream of the proposed activity may increase temporarily as a result of grading and excavation, these levels are not anticipated to be significant. Work will be done primarily in dry areas. During construction of the pond systems, outer berms will be constructed first to contain runoff from graded areas. The existing vegetation mat will allow sediments to settle out of the water column before reaching the canal and turbidity from construction will be low compared to turbidity caused by storms under preconstruction conditions. No adverse impacts to recreational resources are anticipated.

The proposed discharge would not have any significant effect on water chemistry, salinity, odor, taste, dissolved gas levels, temperature, nutrients, or eutrophication. None of the materials to be discharged are suspected of containing any contaminants. No adverse long-term effects on water quality or human use of the aquatic environment are expected to result from implementation of the proposed action.

To evaluate the adequacy of the pollution control measures and to document compliance with State water quality criteria, the Corps will monitor water quality. Monitoring will be conducted prior to construction, during construction, and following construction. Construction activity will be temporarily suspended if monitoring indicates that adverse impacts to receiving water are occurring as a result of construction. The construction contractor will be required to suspend the operation or operations causing the excessive turbidity levels until the condition is corrected. Additional control measures will be instituted should the existing measures prove insufficient.

6. IMPACTS ON ENDANGERED AND THREATENED SPECIES: Kawainui Marsh is the State's largest remaining wetland. The proposed improvements would improve for four endangered waterbirds. Project coordination with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) is ongoing. The proposed modifications are



consistent with the U.S. Fish and Wildlife Service's *Hawaiian Waterbird Recovery Plan* as well as Ducks Unlimited, Inc.'s *Hawaiian Islands Wetlands Conservation Plan*.

7. IMPACTS ON ARCHAEOLOGICAL RESOURCES: The project has been coordinated with the State Historic Preservation Office and knowledgeable public and Native Hawaiian organizations and individuals. Although historic properties exist within the project area, identification, minimization and avoidance procedures will be taken to ensure no adverse effects to historic properties will occur.

8. COASTAL ZONE MANAGEMENT AND WATER QUALITY CERTIFICATIONS:

a. A Federal Coastal Zone consistency determination has been sent for concurrence to the State of Hawaii, Office of Planning, Coastal Zone Management (CZM) Office.

b. A Section 401 Water Quality Certification (WQC) from the State of Hawaii Department of Health, Clean Water Branch (DOH) will be applied for.

9. OTHER GOVERNMENT AUTHORIZATIONS: The authorization to discharge fill does not obviate the need for the Government and local sponsor, respectively, to obtain other Federal, State or local authorization required by Federal, State or local laws.

10. EVALUATION FACTORS: The decision whether or not to discharge fill will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof. Among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations or property ownership and, in general, the needs and welfare of the people. The evaluation will apply the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b)(1) of the Clean Water Act (40 CFR Part 230).

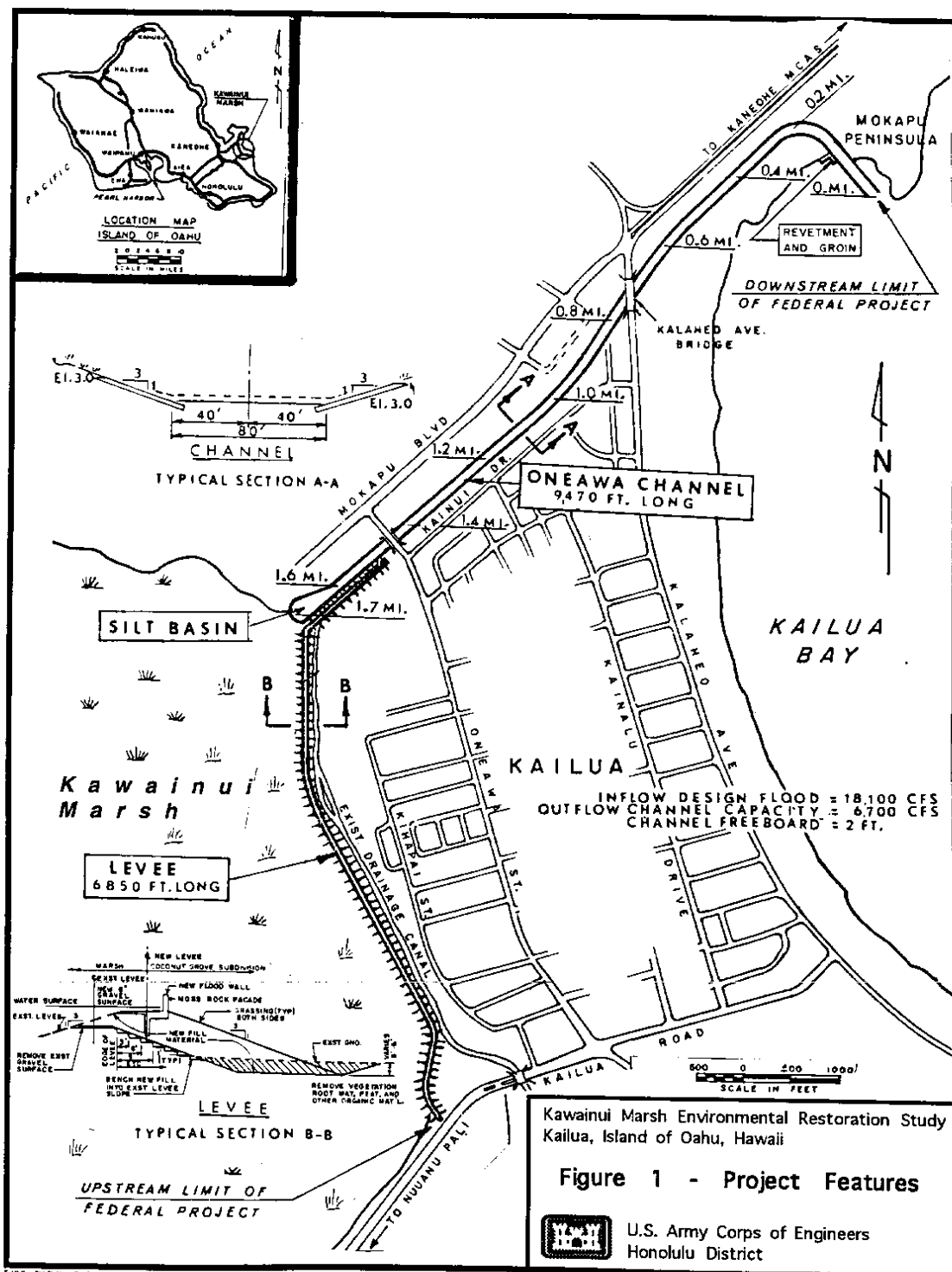
11. COMMENTS AND INQUIRIES: The Corps of Engineers is soliciting comments from the public, Federal, State, and local agencies and officials; and other interested parties to consider and evaluate the impacts of the proposed activity on water quality and the public interest. The Corps will consider comments received to determine whether to discharge, or to modify or condition the discharge for the proposed project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used to determine the need for a public hearing and to determine the overall public interest in the proposed activity and the impacts on water quality. Interested parties may submit in writing any comments that they may have on the



proposed activity. Comments should be submitted to the Honolulu District no later than 30 days from the date of this notice. Written comments should be mailed to the address indicated in the letterhead and should make reference to CWIS No. 96049. Additional information may be obtained from:

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Hydraulic Engineer
U.S. Army Engineer District, Honolulu
Building 230
Fort Shafter, Hawaii 96858-5440
Telephone: (808) 438-9258 extension 13 Telefacsimile: (808) 841-1581
Email: Benton.Ching@pod01.usace.army.mil

12. REQUEST FOR PUBLIC HEARING: Within 30 days from the date of this notice, any person may request, in writing, that the U.S. Army Corps of Engineers, Honolulu District hold a public hearing to consider the discharge effect on water quality or factor of public interest. Requests for public hearings shall state clearly, and concisely, the reasons and rationale for such requests.



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